

**IN THE CLAIMS**

**1. (currently amended)** A communication apparatus comprising:

an audio compression unit for compressing an audio signal and outputting said compressed audio signal[[:]];

a fax-termination/switching control unit which carries out termination processing on a fax signal and controls a switch to output not an output of said audio compression but said fax signal completing said termination processing when said fax signal is detected; and

an exclusion processing unit which is provided in front of said audio compression unit and blocks transmission of a raw negotiation signal to said audio compression unit in an exclusion process when detecting said negotiation signal, thereby the blocked negotiation signal being unrecognizable as said negotiation signal to a receiver fax terminal, wherein

said negotiation signal is transmitted by an accommodating fax terminal prior to a fax data communication,

a fax communication is performed based on a first fax communication protocol when said negotiation signal is recognized by a receiver fax terminal, and

a fax communication is performed based on a second fax communication protocol when said negotiation signal is not recognized by a receiver fax terminal.

**2. (original)** A communication apparatus according to claim 1, wherein said exclusion processing unit removes only a signal component with a frequency of said negotiation signal from an input signal and passes on components with other frequencies.

**3. (original)** A communication apparatus according to claim 1, said communication apparatus further comprising:

a single-tone-generating unit for generating a single tone with a fixed frequency indicating a fax terminal upon detection of said negotiation signal; and

a synthesis unit for adding said signal completing said exclusion process carried out in said exclusion processing unit.

**4. (previously presented)** A communication apparatus according to claim 3, wherein said single-tone-generating unit generates said single tone at the same level as a component with a predetermined frequency of said input signal.

**5. (original)** A communication apparatus according to claim 1, wherein;  
said negotiation signal is a signal completing amplitude modulation;  
said fax-termination/switching control unit includes a detection unit for detecting said negotiation signal within one period of an amplitude-modulation component; and  
said exclusion processing unit carries out an exclusion process on said input signal after said detection unit detects said negotiation signal.

**6. (canceled)**

**7. (original)** A communication apparatus according to claim 5, wherein said detection unit confirms existence of said negotiation signal at a point of time said negotiation signal's

component having a predetermined frequency is detected continuously during a period of post-detection protection and said amplitude-modulation component is detected.

**8. (original)** A communication apparatus according to claim 5, wherein said detection unit confirms non-existence of said negotiation signal when said negotiation signal's component having a predetermined frequency is undetected continuously during a period of pre-extinction protection.

**9. (original)** A communication apparatus according to claim 8, wherein said detection unit confirms non-existence of said negotiation signal when said negotiation signal's component having a predetermined frequency is undetected at at least a predetermined rate of non-detection during a period of pre-ex-extinction protection.

**10. (currently amended)** A communication method performing steps of:

a step carrying out an exclusion process on a negotiation signal when said negotiation signal is detected, thereby a blocked negotiation signal being unrecognizable as said negotiation signal to a receiver fax terminal;

a step compressing said negotiation signal carried out by said exclusion process as an audio signal and outputting said compressed negotiation signal through a switch; and

a step carrying out termination processing on a fax signal except said negotiation signal and outputting said fax signal completing said termination processing through said switch when said fax signal is detected[[:]], wherein

said negotiation signal is transmitted by an accommodating fax terminal prior to a fax data communication.

a fax communication is performed based on a first fax communication protocol when said negotiation signal is recognized by a receiver fax terminal, and

a fax communication is performed based on a second fax communication protocol when said negotiation signal is not recognized by a receiver fax terminal.